

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LEROY TURNER,

Defendant.

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Case No. 18-cr-30098-SMY-1

ORDER

YANDLE, District Judge:

Before the Court is Defendant Leroy Turner's *pro se* motion to obtain copies (Doc. 39). Turner seeks copies of the docket sheet, the sentence and judgment order, the plea agreement, and sentencing transcripts.

Defendants have no constitutional right to a complimentary copy of any document in their court files. *See United States v. Groce*, 838 F. Supp. 411, 413, 414 (E.D. Wis. 1993). Thus, before providing copies free of charge, a district court may require the requestor to show: (1) that he has exhausted *all* other means of access to his files (*i.e.*, through his trial and appellate counsel); (2) that he is financially unable to secure access to his court files (*i.e.*, through a showing similar to that required in 28 U.S.C. § 1915(a)(2) which includes a certified copy of the prisoner's trust account for the previous six-month period prior to filing); and (3) that the documents requested are necessary for some specific non-frivolous court action. *See United States v. Wilkinson*, 618 F.2d 1215, 1218-19 (7th Cir. 1980); *Rush v. United States*, 559 F.2d 455, 459 (7th Cir. 1977). These minimal requirements do not impose any substantial burden to prisoners who desire their records be sent to them at government expense.

Turner has not made the requisite showing as it relates to the sentence and judgment order, the plea agreement, and the sentencing transcripts. He has not demonstrated that he has exhausted all other means of obtaining the documents, that he is financially unable to secure access to these documents, or that the documents are necessary for a specific court action. The Court will, however, provide him with a copy of the docket sheet.

The motion is **GRANTED IN PART and DENIED IN PART**. The Clerk of Court is **ORDERED** to send to Defendant, Leroy Turner, a copy of the docket sheet from case 18-cr-30098-SMY-1. If Turner wishes to pay for a copy of the remaining requested documents, the Clerk of Court has provided him with the cost for the sentence and judgment order and plea agreement in a letter dated July 20, 2022. The cost for the sentencing transcripts can be obtained from the court reporter.

IT IS SO ORDERED.

DATED: October 25, 2023



STACI M. YANDLE
United States District Judge